



4) I spoke to attorney Shneur Z. Nathan on June 27, 2008, three days after the due date for responses to interrogatories and requests to produce. I explained to Mr. Shneur that I was leaving in a couple of days for a vacation celebrating my 35<sup>th</sup> wedding anniversary. I told Mr. Shneur that I would be returning on July 10, 2008, and suggested dates later in July by which I could provide the requested responses.

5) Mr. Shneur *refused* to consider the dates I suggested and said that he would be willing to agree to an extension until July 7, 2008. I reminded Mr. Shneur that this would not work because it would be in the middle of my vacation. Mr. Shneur then said he would be willing to agree to an extension until July 14, 2008. I told Mr. Shneur that I could not promise responses by then because I would be just returning from vacation and, as a sole practitioner, I would be backlogged and could not realistically provide responses in only three business days after my return.

6) Mr. Shneur was unreasonable in refusing to negotiate a mutually agreeable date and instead brought this motion. I returned from vacation out of the country at midnight last night and am filing this response early this morning before the Court call to bring the fact of Mr. Shneur's recalcitrance to the Court's attention. Defense counsel's attitude is not in the spirit of Local Rule 37.2 and does not reflect the courteous treatment that attorneys should give to each other.

7) Plaintiffs ask that the Court enter no order compelling discovery and require defense counsel to speak directly to me to discuss a reasonable resolution of this discovery dispute.

8) Four depositions of defendants are scheduled before the end of July. The discovery closure date is September 18, 2008. Any extension of time will not delay the progress of discovery in this case.

WHEREFORE, plaintiffs respectfully ask the Court to deny defendants' motion to compel discovery and require defense counsel to comply with Local Rule 37.2 and make a good faith attempt to resolve discovery differences before obtaining Court intervention.

Dated: July 10, 2008

s/ Irene K. Dymkar  
Irene K. Dymkar

Irene K. Dymkar  
Attorney for Plaintiffs  
300 W. Adams Street, Suite 330  
Chicago, IL 60606-5107  
(312) 345-0123

**CERTIFICATE OF SERVICE**

I, Irene K. Dymkar, an attorney, certify that on the 10<sup>th</sup> day of July, 2008, a copy of PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL DISCOVERY was served upon the attorneys named below electronically, through the Court's electronic filing system.

Shneur Z. Nathan  
City of Chicago, Department of Law  
30 North LaSalle Street, Suite 1400  
Chicago, IL 60602

Megan K., McGrath  
City of Chicago, Department of Law  
30 North LaSalle Street, Suite 1040  
Chicago, IL 60602

Dated: July 10, 2008

s/ Irene K. Dymkar  
Irene K. Dymkar